

MEMORANDUM

Agenda Item No. 7(B)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

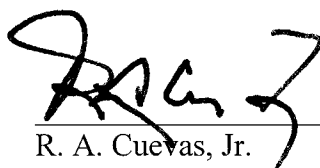
DATE:

(Second Reading 10-02-07)
July 24, 2007

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Ordinance amending
Section 2-8.3 of the
Code of Miami-Dade
County relating to
Capital Improvement
Projects

The accompanying ordinance was prepared and placed on the agenda at the request of Commissioner Carlos A. Gimenez and Commissioner Rebeca Sosa.



R. A. Cuevas, Jr.
County Attorney

RAC/jls

Memorandum



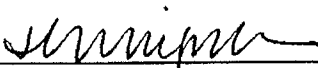
Date: October 2, 2007

To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

From: George M. Borges
County Manager

Subject: Ordinance Amending Section 2-8.3 of the Code of Miami-Dade County Relating to
Capital Improvement Projects

The ordinance requiring operation, maintenance and replacement cost estimates for capital improvement projects will not have fiscal impact to Miami-Dade County.



Jennifer Glazer-Moon, Director
Office of Strategic Business Management

fls02607

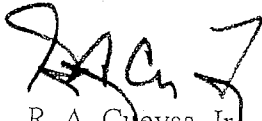


MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: October 2, 2007

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 7(B)

Please note any items checked.

_____ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised

_____ 6 weeks required between first reading and public hearing

_____ 4 weeks notification to municipal officials required prior to public hearing

_____ Decreases revenues or increases expenditures without balancing budget

_____ Budget required

_____ Statement of fiscal impact required

_____ Bid waiver requiring County Manager's written recommendation

_____ Ordinance creating a new board requires detailed County Manager's report for public hearing

_____ Housekeeping item (no policy decision required)

_____ No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 7(B)

10-02-07

ORDINANCE NO. _____

ORDINANCE AMENDING MANAGER'S RECOMMENDATION
IN SECTION 2-8.3 OF THE CODE OF MIAMI-DADE COUNTY,
FLORIDA, TO REQUIRE ANNUAL OPERATION AND
MAINTENANCE COSTS AND LIFE EXPECTANCY COST
ESTIMATES FOR CAPITAL IMPROVEMENT PROJECTS;
PROVIDING SEVERABILITY, INCLUSION IN THE CODE,
AND AN EFFECTIVE DATE

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
MIAMI-DADE COUNTY, FLORIDA:**

Section 1. Section 2-8.3 of the Code of Miami-Dade County, Florida, is amended as
follows:¹

Sec. 2-8.3. Manager's Recommendation

* * *

Whenever a competitive process is utilized for selection of a contractor, vendor, consultant, tenant or concessionaire, the County Manager shall review the responses to the solicitation and recommend to the County Commission award or other appropriate action. Such recommendation shall be in writing and shall be filed with the Clerk of the Board, with copies mailed to all participants in the competitive process, no later than ten (10) days prior to any Commission meeting at which such recommendation is scheduled to be presented. >>For capital improvement projects, such recommendation shall be accompanied by a memorandum from the County Manager that provides an estimate of the annual operation and maintenance costs as well as the life expectancy for the proposed project and a source of funding for those estimated costs.<< Those contracts covered by Section 2-8.2.7 for which no timely protest is filed, the County Manager's recommendation may

¹ Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

be awarded by the County Manager in accordance with his recommendation. The Commission, by two-thirds (2/3) vote of the members present, may waive the requirements of this section. The foregoing notwithstanding, the requirements of this section shall not apply to contracts or purchases which the County Manager has the delegated authority to award under Sec. 2-8.1(b) of this Code.

* * *

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Oren Rosenthal

Sponsored by Commissioner Carlos A. Gimenez
and Commissioner Rebeca Sosa

